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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,920	09/23/2003	Damian O. Amaiz	52340AUSM1	3330
27586	7590	02/17/2006	EXAMINER	
BERLEX BIOSCIENCES PATENT DEPARTMENT 2600 HILLTOP DRIVE P.O. BOX 4099 RICHMOND, CA 94804-0099			CHUNG, SUSANNAH LEE	
			ART UNIT	PAPER NUMBER
			1626	
DATE MAILED: 02/17/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/668,920	ARNAIZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Susannah Chung	1626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1. ☒ The amendment filed on 20 December 2005 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

*Claims 10-12 will not be entered because they are not enabled or commensurate in scope with the allowed claims 3 and 9.*

***Response to Rule 312 Communication***

The Amendment to the claims filed on 12/20/2005 will not be entered because they are not enabled or commensurate in scope with the allowed claims 3 and 9 (see enclosed interview summary).

***Telephone Inquiry***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susannah Chung whose telephone number is (571) 272-6098. The examiner can normally be reached on M-F, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571) 272-0699. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susannah Chung  
Patent Examiner, AU 1626

Date: 02/09/2006

  
KAMAL A. SAEED, PH.D.  
PRIMARY EXAMINER